

THE HONOLULU REPUBLICAN.

Published Every Morning Except Monday by the Hon. G. G. G. Publishing Company, Limited.

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TELEPHONES.

Business Office.....Main 218
Editorial Rooms.....Main 123

Entered at the Post Office at Honolulu, H. T., as second-class mail.

SUBSCRIPTION RATES.

Per Month, by Carrier.....\$.75
Six Months, by Mail.....8.99
Three Months, by Mail or Carrier.....4.99

HONOLULU, H. T., DEC. 13, 1900.

WEATHER YESTERDAY.

Mean Temperature—71.7 degrees.
Minimum Temperature—71.7 degrees.
Maximum Temperature—79.9 degrees.
Barometer—30.08 at 9 p. m.
Rainfall—0.00 inches, 52 to 9 a. m.
Moon Low Light for the day—52.7
Mean Relative Humidity—85.

WINDS.

North-east 3.
Forecast for Today.
Fresh trades and fair weather; light showers in the valleys.

MISUSE OF TRUST FUNDS.

The Republican fails to see wherein Justice Frear or anyone else can see anything in Judge Humphreys' letters to Judge Little condemning the use of funds deposited in the courts for other purposes than those for which they were expressly deposited. That Judge Frear does apparently see something to criticize in Judge Humphreys' letters, according to his interview in the Star written by himself, is evidence that in denouncing the old methods Judge Humphreys has again run against one of the "sacred institutions" of the family compact.

It is indeed high time that the practice of using for the expenses of the court, funds deposited in court for trust and sacred purposes, should cease. Such a practice is not alone reprehensible; it is absolutely dishonest and in any court in America, outside of Hawaii, a clerk who would so use the funds deposited with him would be indicted by a grand jury for malfeasance in office or for embezzlement, and the Judge who would permit or order such a misuse of funds would be impeached. Courts are supposed to be the very embodiment of the law and of justice and yet the courts of Hawaii have, in this method of using sacred funds, been guilty of the most glaring transgression of the law. Such matters as this lend color to the claims of favoritism, if not corruption, on the part of Hawaiian courts and judges sometimes advanced in the past.

Simply because this has been the custom is no reason why it should be continued and Judge Humphreys was right in issuing the order he did regarding funds deposited in court and in saying what he did in regard to the corrupt practice in his letter to Judge Little. If the Territory of Hawaii cannot provide funds for the conduct of the courts then it ought to cease to exist. We notice, however, that there is no trouble in providing the necessary funds to pay the salaries of the hundreds of useless employees of the Territory.

Custom makes laws, but unjust and illegal custom does not make right. In criticizing Judge Humphreys' action Justice Frear practically takes the position that Clerk Smith has been right in thus using trust funds for any purpose that he saw fit. This is to be expected from a man who as a member of the Supreme court permitted the charging of illegal fees in naturalization cases after the illegality of such charges had been pointed out by this paper.

Under the old order of things here judgments were not kept in a judgment book, even if they are now. The only record of a judgment is the type-written copy filed and the clerk's minutes. This copy could be easily extracted under the loose system prevailing, as could almost any other papers in a case. No minute book was kept until Judge Humphreys went on the bench, the minutes being written on blanks and filed with the other papers which were kept in wooden cases in the building which the first fire would destroy. No Register of Actions has ever been kept, no judgment docket or other modern record books to be found in every court of record throughout the United States. Simply because the men on the bench in Hawaii heretofore knew so little of law and of legal practice and procedure that they found no use for these very necessary record books is no reason for going on forever without them or until some serious scandal should result from the loss of the loosely kept records. Neither is there any valid reason to continue the system of illegally using trust funds deposited with the court for the purpose of meeting such current expenses as the clerk saw fit to apply them to.

Judge Humphreys has simply done a conscientious duty in demanding that trust funds shall be held inviolate for the purposes for which they were deposited and, whatever the momentary shock may be, he will in time receive the cordial endorsement of the people for what he has done. Judge Humphreys began his career by placing human liberty, personal rights, perhaps, paramount to property litigation. The man who is in prison unjustly, and many innocent men get there, ap-

preciated that course. It is a part of the American system, and he would have been false to his oath as a lawyer, not to speak of him as a Judge, had he done less. It was an innovation in Hawaii, where life has been considered cheap and "liberty" a plaything of the family oligarchy. His work, however, has impressed itself on this era of evolution—not revolution—and will remain with meaning in Hawaiian jurisprudence.

Then this Judge had the audacity to protect small estates in the probate courts, made delinquent executors or their sureties pay up and file their accounts. He put the shears to exorbitant attorney fees and distributed many estates that had been needlessly withheld to fatten executors, attorneys and tax-eaters. It was hardly to be expected that a Judge like that should be popular with these fellows. But widows and orphans have called him blessed.

He reformed the divorce business. Now he protests against the misappropriation of trust funds for general purposes, which is not only illegal, but needless and pervertive of justice and honesty.

Judge Humphreys' position, that these funds are sacred, that they cannot be touched for any purpose save for that for which they were paid, and that they cannot be diverted to any other use, is sensational, perhaps, to men who have set themselves above the law and to whom nothing was sacred, but he is right and his claims will not only be sustained, but applauded.

MUST RAISE OTHER PRODUCTS.

The establishment of new steamer communication with the Sound region demonstrates more than ever the need of diversified industries in Hawaii. When the steamer Elihu Thompson, which brought down a cargo from the Sound last week, consisting of beer, meats and dairy products, sailed on her return trip all she had to load was empty beer cases and beer bottles. If Hawaii had paid any attention to raising other crops than sugar in the past, as she should have done, the Elihu Thompson could have sailed for the Sound with a large cargo of pineapples, bananas, limes, lemons, oranges and other tropical and semi-tropical products which would have found ready sale at good prices.

A woman reader of The Republican who was in Seattle a few weeks ago saw some pineapples at a fruit stand and knowing how cheap they are in Honolulu and the superior quality produced here, inquired the price, and where they came from. The price almost took her breath away when the dealer told her "sixty cents apiece; very cheap, madam." This fruit came from Central America, having first been shipped to San Francisco and from there reshipped to Seattle after the San Francisco jobbers getting a good big profit out of handling it. Hawaiian pineapples could be sold at retail on the fruit stands of Seattle and Tacoma for 25 cents each and allow a large profit to the grower, the shipper and the retailer.

When the steamer Australia arrived in San Francisco, November 29th, on her return from her first trip to Tahiti, she brought with her as cargo 1200 cases of pineapples, nearly 500 bunches of bananas and several hundred cases of limes, lemons and oranges, besides other tropical products. On all these articles a duty had to be paid before they could be landed, and yet they were sold at prices which yielded a good price to the grower in far away Tahiti. If the Tahiti growers can land these products in an American port at a profit after paying the heavy duties, think what the Hawaiian grower can do who can land his products in American ports duty free.

Even with the enormous profits in sugar cultivation, there are greater profits ahead for the grower of tropical fruits. The demand on the mainland is constantly increasing. Pineapples are one of the most palatable and healthy fruits grown, and would be much more generally used than at present if they could be sold at retail at from 25 cents to 35 cents each in the mainland cities. As it is now one can hardly buy a good pineapple of Central American growth in any of the Pacific coast cities for less than half a dollar. This places the fruit out of the reach of any but the wealthy. Small experiments made by members of the Wahiawa colony showed that pineapples could be grown at an immense profit per acre when ten cent apiece could be realized for them by the grower.

With the addition of new lines of communication it will become imperative for Hawaii to produce something else than sugar if she wishes to retain these new lines. Ships cannot afford to make trips for the purpose of carrying a cargo only one way. They must have return cargoes and Hawaii can furnish them if her land owners will but hearken to the demands of trade and plant other crops as well as sugar. A country with but one product eventually becomes poor. It is the state or country that has diversified industries that always becomes the richest.

A Washington Jokelet.

One showing of the election is that the natives are in some cases as yet unconvinced to the passing of the monarchy. Their ignorant prejudices and fears have evidently been worked upon by demagogues like Wilcox, and they have been led to the polls, unthinking, regardless of the future, intent only upon recording their dislike for the white men who have striven for so many years to save them from the evils of their surroundings, to rescue them from the corruption of their rulers and to elevate them to a plane of civilization and intelligence.

CONDENSED TELEGRAMS.

President Kruger announces that he will make his home in The Hague.

A special dispatch from Hankow, Pass, dated November 30th, says the Kalgan Expedition was ineffective.

Two Chinamen were arrested in Jersey City, N. J., Dec. 6 for alleged violation of the Chinese exclusion act.

The Chilean cabinet has resigned. Mariano Sanchez, secretary of interior, retired because of bad health.

The funeral of Count von York was held from the palace of the Dowager Empress Dec. 5th, at Peking.

Senator Fairbanks of Indiana has introduced a bill to admit Oklahoma as a state, with two Representatives.

The Woman's Christian Temperance Union convention at Washington adopted resolutions against the Army canteen.

The project of a cable to girt the world, the landings of which will be wholly within British control, is being actively pushed.

Senator Clay of Georgia has introduced a bill providing for the admission free of duty of articles controlled by the trusts.

It is estimated that more than \$1,000,000 has been sent to India from the United States for the help of the famine and plague sufferers.

The United States cruiser Wheeling arrived in Vancouver, B. C., Dec. 4, from Sitka, where she has been lying for three months.

Eagle City, on the American Yukon, was connected by telegraph with Dawson on October 10th, giving through service from Eagle to Skagway.

The foremost specialists of Europe are growing new car drums for Miss Alta Rockefeller, daughter of John D. Rockefeller, is reported.

The twentieth annual convention of the American Federation of Labor convened at Louisville, Ky., Dec. 6, in Music Hall, with 217 delegates present.

A serious wreck occurred on the Northern Pacific at Rocker, Mont., three miles west of Butte, Dec. 5, in which two unknown men lost their lives.

G. T. Gerald, the Redwood City (Cal.) highwayman, who, with a pal, recently tried to rob Police Inspector John Haloin, of Kansas City, Mo., has confessed.

Another death, making seven in all, was added Dec. 8 to the list of victims of the boiler explosion at the Northwestern Railroad's power house at Chicago.

The proposed trip of the Columbia University football team to California, which was to have taken place during the Christmas holidays, has been abandoned.

R. Moody has reached Northfield after a visit to London, in the course of which he secured the consent of Rev. G. Campbell Morgan to assist in the Northfield work.

There is a report to the effect that the jewels of Carlotta once Empress of Mexico, have been discovered in the United States through the arrest of two men for smuggling.

Two attempts were made to hold up cars on the West Side, Chicago. The first was productive of a fight and the final capture of two of the robbers by the crew and passengers of the car.

General Mercier caused a deep sensation in the Paris Senate Dec. 4 during the debate on the naval bill by pointing out the ease with which England could be invaded.

The Chinese Minister at Berlin has handed the Foreign Office an official telegram from Li Hung Chang to the effect that Sin Liang, the new Governor of Shansi, has publicly executed upward of eighty rebel leaders.

A strike of all the men on the Gulf, Colorado and Santa Fe Railroad belonging to the order of Railroad telegraphers went into effect Dec. 6, and every train between Galveston and Purcell is tied up. All operators on the line are out.

A delegation of ladies of the W. C. T. U. at the sessions in Washington have endorsed the Littlefield bill which prohibits the sale of liquors to aboriginal tribes and native races in the Philippines, Hawaii and other islands.

Where Our Butter Comes From. From the Des Moines Register.

The large supply of butter and cheese for Honolulu comes from outside territory. The records obtainable for the years 1897 and 1898 show a considerable increase for the year 1899, as far as statistics are available. The amount of butter imported for 1897 was \$36,392, of which \$32,632 came from this country. For 1898 total receipts were \$44,620, of which \$40,135 came from this country. Australia furnishes quite an amount of the butter used in the Islands, while China has supplied the bulk of the eggs imported.

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